

CHAD

Concerns about Chad's child protection record one year after delisting

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Over the last six months, Child Soldiers International has found worrying evidence of child rights violations by the Chadian army, and non-compliance with child protection commitments by the Chadian authorities. These include: inadequate provision of interim care to children formerly associated with the Séléka armed group, resulting in dozens of children absconding from a transit centre; the non-implementation of a protocol for the handover of children captured from armed groups, which had been signed with the UN; the alleged sexual abuse of children by Chadian troops operating in Central African Republic (CAR) in 2013 and the apparent failure of the Chadian authorities to investigate these allegations.

Chad is currently facing many security and humanitarian challenges due to its involvement in the fight against Boko Haram in Nigeria (resulting in several attacks by the group on its territory, including in the capital N'Djamena), and its hosting of hundreds of thousands of refugees and returnees from Sudan, CAR and Nigeria. However, one year after its army was removed from a UN list of child rights violators for child recruitment and use, and given its increasing military role in the sub-region, Chad must continue to demonstrate its capacity and willingness to protect and promote the rights of all children affected by armed conflict.

Child Soldiers International recommends that the government of Chad continue to devote adequate capacity and resources to the comprehensive implementation of the 2011 Action Plan on children associated with armed forces and armed groups and its Roadmaps, and of the protocol on the handover of children signed with the UN in 2014. The government should also ensure that all children formerly associated with armed groups are provided with appropriate assistance for their physical and psychological recovery, family reunification and social reintegration. In addition, Chad should immediately launch an independent investigation into the allegations of sexual abuse of displaced children in CAR involving three of its soldiers and cooperate fully with all UN investigations on the matter. Finally, the Chadian government should draft its long overdue initial report on its implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC).

Child Soldiers International also recommends the UN Secretary-General issue a public report detailing the Chadian government's record on the protection of children in armed conflict since the delisting of its armed forces in July 2014. Such a report, as well as the government's OPAC initial report, would provide a good opportunity to assess progress and address ongoing challenges in the protection of children from recruitment and from the impact of armed conflict.

De-listing of the Chadian armed forces

A year ago, on 1 July 2014, the UN Secretary-General announced the delisting of the Chadian armed forces (*Armée nationale tchadienne*/ANT) in his annual report on children and armed conflict.¹ Prior to that, the ANT had been listed for five consecutive years as a party recruiting and using children, and was therefore considered to be a ‘persistent perpetrator’.

The delisting was based on the fact that the government had made meaningful progress to address the issue of child recruitment in its armed forces and to realise its commitments under the Action Plan on children associated with armed forces and groups, signed with the UN in 2011. Indeed, under pressure from the UN following the deployment of its troops to Mali at the beginning of 2013, Chad agreed to a Roadmap detailing 10 short and medium term measures required to “accelerate” the implementation of the Action Plan.

From July 2013, Child Soldiers International documented activities carried out by the government, with support from the UN, to implement this Roadmap. These included the adoption and dissemination of a Presidential Directive setting 18 as the minimum age for army recruitment and introducing sanctions for underage recruitment; the screening of nearly 4,000 members of the armed and security forces; the creation of Child Protection Units in each defence and security zone of the country; and the criminalisation of child recruitment and use in Chadian law.

Child Soldiers International found that progress made was encouraging and significant, but incomplete and therefore fragile. In a March 2014 briefing,² published ten months after the signature of the Roadmap and three months before the delisting of the ANT, Child Soldiers International had expressed a range of ongoing concerns and proposed a series of recommendations to the Chadian government and the UN. Our concerns included the fact that the screening and training of Chadian troops had not been exhaustive, and troops sent to CAR in September 2013 had been deployed without having been screened.³ Child protection agencies and the Ministry of Social Affairs continued to lack the capacity to provide adequate interim care and reintegration support to demobilised children. Effective and appropriate age verification procedures had not been developed and implemented.⁴ Standard operating procedures for the identification, documentation and prompt handover of children to child protection agencies had not been developed. Birth registration was not free or easily accessible in practice. None of the incidents of child recruitment reported in 2012-2013 had been effectively investigated, and there had still been no attempt to establish an effective complaint mechanism to report cases of underage recruitment – as required by the Action Plan.

Child Soldiers International concluded that the delisting of the Chadian armed forces should not take place until the Action Plan was fully implemented, recent reforms fully institutionalised and their impact monitored by the UN over a significant period of time.

¹ *Report of the Secretary-General on Children and Armed Conflict*, UN Doc. A/68/878-S/2014/339, 15 May 2014, http://www.un.org/ga/search/view_doc.asp?symbol=A/68/878

² Child Soldiers International, *Chad: Briefing on the status of implementation of the June 2011 Action Plan on children associated with armed forces and groups and its 10-Point Roadmap*, March 2014: http://www.child-soldiers.org/research_report_reader.php?id=748

³ In the meantime, August-October 2013 screenings had revealed that soldiers had been unlawfully recruited when still under the age of 18.

⁴ Age verification methods set out in a 2013 Presidential Directive relied on physical or medical examinations, which we argued raised ethical concerns and were unreliable.

To support and consolidate efforts to implement the Action Plan and the Roadmap, in the first half of 2014 Child Soldiers International and UNICEF jointly produced and disseminated material⁵ intended to promote awareness and implementation of existing laws and policies banning child recruitment in Chad. In a workshop in May 2014, the two organisations trained approximately 35 representatives from Chad's armed and security forces, government ministries, UN agencies, and national and international human rights organisations. The aim was to take stock of progress made, promote a common understanding of what the prohibition entailed practically, and identify continuing risks to children – especially along the border regions in southern Chad – in order to address them in a concerted manner.

When the Chadian armed forces were eventually delisted in July 2014, Child Soldiers International again expressed its continuing concerns and issued recommendations, warning⁶ that efforts to ensure effective and durable protection against underage recruitment in Chad had to be followed-up and sustained over a significant period of time.

Ongoing concerns

Since the delisting, more progress has been achieved. In September 2014, a “Protocol on the handover of children associated with armed forces and groups” was signed by the Chadian government and the UN. At approximately the same time, UNICEF recruited a consultant to follow up on Action Plan implementation activities and organised refresher trainings for ANTF members in three areas (Mongou, Abéché and Sarh) between end of 2014 and early 2015. Some of the staff constituting Child Protection Units attended these trainings. In April 2015, a workshop was organised in N'Djamena by UNICEF and the government to assess progress on the implementation of the Action Plan and agree on a new Roadmap of activities designed to promote full compliance with Action Plan commitments. Following this workshop, UNICEF and the Ministry of defence made plans to integrate children's rights into the military curriculum.

However, one year after the delisting of the Chadian armed forces, Child Soldiers International continues to be concerned that insufficient measures were taken to follow up and consolidate progress made in 2013-2014:

- The screening and training of the Chadian national army has not been exhaustive, and pre-deployment training is not systematic.
- Refresher trainings for members of the armed forces and Child Protection Units were not comprehensive.
- Child protection agencies and the Ministry of Social Affairs continue to lack the capacity to provide adequate interim care and reintegration support to demobilised children.
- An effective and appropriate age verification mechanism has not yet been embedded in military recruitment procedures.
- A complaint procedure for cases of child recruitment and use has not been established, and no incident of child recruitment has ever been effectively investigated let alone sanctioned.
- Birth registration is still not free or easily accessible in practice.
- The draft Child protection Code continues to be rejected by the National Assembly.

⁵ UNICEF and Child Soldiers International, *Un enfant ne doit pas être un soldat! Comment prévenir le recrutement et l'utilisation d'enfants par les forces et groupes armés au Tchad*, May 2014 : http://child-soldiers.org/francais_report_reader.php?id=766

⁶ Child Soldiers International, *Efforts to put a definitive end to child recruitment in Chad should continue*, 1 July 2014: http://www.child-soldiers.org/news_reader.php?id=769

As a result, protection of children in armed conflict remains a concern in Chad and where the Chadian army operates.

For example, Child Soldiers International is gravely concerned that dozens of children hosted in a transit centre operated by the Ministry of Social Affairs in N'Djamena in 2014 absconded from the centre, in parts because of the poor-quality care that was provided to them. These children had been associated with Séléka groups in the Central African Republic in 2013 and had been arrested by the Chadian army at the beginning of 2014 before being eventually handed over to UNICEF in April 2014. According to information received by Child Soldiers International, the children left the centre a few months after they had arrived. UNICEF managed to trace a handful of them, but the whereabouts and safety of the others are currently unknown. These children were particularly vulnerable given their direct experience of witnessing and participating in armed conflict and their separation from their families and home country. They may also have been at risk of re-recruitment by armed groups operating in CAR.

Equally concerning is the detention by Chadian troops operating in northeast Nigeria of a group of young people, including children, captured from Boko Haram at the beginning of 2015. Repeated UNICEF calls, in February and March 2015, for the transfer of the children were ignored. This failure to respond promptly falls short of the commitment made by Chad when it signed, in September 2014, a “Protocol on the handover of children associated with armed forces and groups” with the UN. This put an obligation on the ANT to promptly handover any such children to child protection agencies. The group was detained by the Chadian army for a period of at least two months before some of the children were handed over to the care of the Ministry of Social Affairs in April. At this point, UNICEF was finally able to identify and care for two Chadian children. Child Soldiers International is concerned that other children associated with Boko Haram may have been originally detained by the ANT, but it could not determine their fate or whereabouts. This incident seriously calls into question the ability of the Chadian army to implement its child protection commitments.

Further, Child Soldiers International has been unable to establish whether Chadian troops hastily deployed to Cameroon and then Nigeria in January and February of this year were screened and trained in child protection at any point prior to their deployment.

These incidents may be symptomatic of the apparent decreasing capacity or commitment of the Chadian Ministry of Defence to ensure the consistent implementation of its Action Plan commitments since last summer. Staff changes in the Ministry’s Child Protection Department (*Division de la protection de l’enfance*) following the delisting of the ANT in July 2014 have negatively affected the Ministry’s cooperation with UNICEF. The non-compliance with the “Protocol on the handover of children” is a case in point. We are also concerned that Child Protection Unit staff in all eight security zones have not been consistently supported and trained, and that Child Protection Units are no longer supported by the central unit at the Ministry of Defence in N'Djamena, nor are they reporting to the Ministry. According to information received by Child Soldiers International, a number of Child Protection Units are in dire need of assistance and capacity-building.

The above developments reflect ongoing weaknesses in the prevention and protection systems put in place during the accelerated implementation of the Action Plan and its Roadmap in 2013-2014. It signals that measures taken to establish these mechanisms have not all been efficiently operationalised, adequately resourced and followed up.

Key international player

The current political and security context in the region has placed Chad in a position of greater visibility and responsibility. With conflicts at all its borders and its army involved in the fight against Boko Haram in the sub-region, and against extremist armed groups in Northern Mali, it is vital that the Chadian authorities demonstrate and impart their capacity to protect the rights of children affected by armed conflict. The child protection capacity-building process rolled out in Chad during the implementation of the Action Plan could then serve as a model for other countries involved in the fight against Boko Haram.

In that sense, it is also deeply worrying that, according to a UN report, three Chadian troops are suspected of involvement in child sexual abuse⁷ in CAR in March 2014, when they were part of the African-led International Support Mission in the Central African Republic (MISCA). Unlike France, whose army is alleged to have committed similar offences, the Chadian authorities have not yet announced the opening of an investigation into these credible allegations.

Chad's army is seen as a major security player in the region. To reflect this, the Multinational Joint Task Force (MNJTF) against Boko Haram was headquartered in N'Djamena. Globally, Chad contributes over 1,000 troops⁸ to UN peacekeeping missions, mostly in the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). With an enhanced political and military influence at the international level comes increased responsibility to meaningfully uphold and promote human rights, and protect children from the effects of armed conflict.

However, notwithstanding Chad's stated intention and actions to end the recruitment of children in its armed forces, there is still an obvious lack of government ownership of the national agenda to protect children from armed conflict. Chad has just gone through a lengthy and highly scrutinised Action Plan implementation process, which led to the removal of its army from the UN list of child rights violators. Consequently, the ANT should now be fully respectful of children's rights and lead by example within the MNJTF against Boko Haram. It must ensure the protection of and respect for the rights of all children, including child soldiers, with whom its soldiers come into contact in the battlefield.

Sustained UN attention needed

There is no doubt that the Chadian government, with the support of the UN, has made tangible progress towards protecting children from recruitment and use and, more broadly, the protection of children affected by armed conflict. The government and the UN have also demonstrated continued support to the implementation of the principles of the Action Plan since the delisting, as shown by the April 2015 workshop resulting in the adoption of a new Roadmap. However, the capacity of the government and the ANT needs to be significantly strengthened in order for Chad to ensure the protection of children from conflict, improve assistance to former child soldiers and achieve practical and durable prevention, without future support from the UN.

⁷ Child Rights International Network (CRIN) et al., *Sexual Abuse: NGO Call for UN Transparency over Child Sexual Abuse by Peacekeepers*, 6 May 2015: <https://www.crin.org/en/library/news-archive/sexual-abuse-ngo-call-un-transparency-over-child-sexual-abuse-peacekeepers>

⁸ United Nations, *UN Missions Summary Detailed by Country*, 31 May 2015: http://www.un.org/en/peacekeeping/contributors/2015/may15_3.pdf

In addition, policy changes made in 2013-2014 must be adequately institutionalised and operationalised. Long-term efforts continue to be needed to consolidate recent gains and achieve effective protection for children affected by armed conflict in Chad, and for children who come into contact with Chadian armed forces operating in other countries. Otherwise there remains a risk of “backsliding”, as acknowledged by the Chadian government last year.

This is particularly concerning at a time when Chad is hosting hundreds of thousands of refugees and returnees from Sudan, CAR and Nigeria, including separated and unaccompanied children who are vulnerable to recruitment. Research conducted by Child Soldiers International in displaced people’s sites along the Chad/CAR border in August 2014 found that refugee and returnee children were extremely vulnerable to recruitment by armed groups and former armed group members in CAR. In some camps young men and boys had regular contact with ex-Séléka members in the camps themselves and in CAR, and recruitment attempts with financial incentives were reported from Maro and Doyaba camps.

The UN has a critical role to play in supporting Chad’s ongoing efforts. The fact that the ANT was de-listed from the 2014 UN Secretary-General’s report on children and armed conflict should not mean the end of UN scrutiny on the implementation of the commitments made in the Action Plan. Following such de-listing, monitoring should continue for at least one year.⁹ However, no comprehensive UN assessment has been made public about the ANT’s record in the year following its de-listing. Instead, in his 2015 annual report last month the UN Secretary-General already determined that “the situation of Chad will be removed from the report as of 2016”.¹⁰ In addition, in an unprecedented development, it was recently announced that the UN Security Council Working Group (SCWG) on Children and Armed Conflict will no longer consider a report on the situation of children and armed conflict in Chad – a report which had been in the works since early 2015. However, annual report country sections cannot be a substitute for full country-specific reports. In light of concerns about Chad’s capacity to fully implement its commitments under the Action Plan, this decision, if confirmed, risks sending a signal that partial reform is sufficient to escape further scrutiny. Given that the UN SCWG had not formally considered the situation of children and armed conflict in Chad since 2011, a comprehensive public report on the implementation of the Chadian Action Plan would be required to ensure a full, transparent assessment of Chad’s compliance, and the level of protection afforded to children affected by armed conflict in countries where its army is operating.

Child Soldiers International therefore urges the UN Secretary-General to issue a detailed report on the situation of children in armed conflict in Chad and report to the UN SCWG on Children and Armed Conflict. This would be an opportunity to take stock of progress and collectively address ongoing challenges in the protection of children from recruitment and from the impact of armed conflict.

⁹ *Report of the Secretary-General on Children and Armed Conflict*, UN Doc. A/64/742-S/2010/181, 13 April 2010, paragraph 180: http://www.un.org/ga/search/view_doc.asp?symbol=A/64/742&Lang=E&Area=UNDOC: “It should be noted that once a party is de-listed, ongoing monitoring and reporting of the situation is required as long as the Secretary-General remains concerned that such violations may recur. The de-listed party must ensure continuous and unhindered access to the United Nations for monitoring and verification of compliance with commitments for a minimum period of one reporting cycle following de-listing, failing which it may be re-listed in the annexes, and the Security Council alerted to the non-compliance.”

¹⁰ *Report of the Secretary-General on Children and Armed Conflict*, UN Doc. A/69/926-S/2015/409, 5 June 2015, paragraph 56: http://www.un.org/ga/search/view_doc.asp?symbol=A/69/926&referer=/english/&Lang=E: “In the of the progress made in the implementation of the action plan, the situation of Chad will be removed from the report as of 2016.”

Recommendations to the government of Chad

- The Ministry of Defence should ensure that its Child Protection Department has adequate capacity and resources to follow up on the implementation of the Action Plan and “Protocol on the handover of children” and support the work of local Child Protection Units in all defence and security zones.
- As a matter of priority, the Chadian authorities should, in cooperation with the UN and child protection actors, ensure that all Chadian troops deployed to the borders and abroad are comprehensively screened as well as trained in child protection.
- The ANT should fully comply with the 2014 “Protocol on the handover of children” and promptly inform UNICEF of the situation of any children detained by its troops, both in Chad and abroad, and transfer them to the care of child protection agencies without delay.
- All children formerly associated with armed forces and armed groups should be provided with all appropriate assistance for their physical and psychological recovery, family reunification and social reintegration.
- In all forthcoming recruitment campaigns the Ministry of Defence and the ANT should ensure that all military and civil personnel involved in the recruitment process have received child protection and age verification training based on best international practice before the start of any recruitment campaign; instruct that in case of doubt over an individual’s age, candidates should not be recruited.
- Chad should launch an independent investigation into the allegations of sexual abuse of displaced children in CAR involving three of its soldiers and cooperate fully with all UN investigations on the matter.
- The Chadian authorities should effectively and independently investigate all allegations of child recruitment or use by armed commanders – including former armed group commander Baba Laddé¹¹ – and, irrespective of the initiation of any criminal proceedings, ensure that appropriate disciplinary sanctions are imposed, as per the Presidential Directive.
- With members of Parliament, the Chadian government should immediately address the issues delaying the adoption of the Child Protection Code and set a timetable for its return to and adoption by the National Assembly; plan the translation and wide dissemination of the Code once it is adopted.
- The Chadian government should draft without delay its long overdue initial report on the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and submit it to the UN Committee on the Rights of the Child.

¹¹ The self-proclaimed “General” Baba Laddé, Chadian leader of the Popular Front for Redress (*Front populaire pour le redressement*/FPR), was arrested in Central African Republic in December 2014. In a move which Child Soldiers International and Amnesty International had then condemned (since he is suspected of having committed grave violations including child recruitment and use) Baba Laddé had previously been appointed Governor in southern Chad (Grande Sido) in July of the same year. He was dismissed a few months later and allegedly attempted to recruit combatants, including children, while fleeing to CAR. He was eventually tracked down and extradited to N’Djamena in early January 2015.

Recommendations to the UN

- The UN Secretary-General should issue a public report on the situation of children and armed conflict in Chad, detailing the measures the Chadian government has taken towards full implementation of the Action Plan, to be examined by the UN Security Council Working Group on Children and Armed Conflict.
- As a matter of priority and in cooperation with the Chadian authorities, the UN should ensure that all Chadian troops deployed internally and abroad are comprehensively screened as well as trained in child protection.
- The UN should support the Chadian government in organising a national awareness-raising campaign on child soldier prevention, as required by the 2013 Roadmap. This should reach administrative and judicial authorities at local and national levels, as well as members of communities in at-risk areas, camp managers and refugees/returnees.
- The situation of refugee and returnee populations fleeing violence in neighbouring countries must be thoroughly monitored and adequate protection mechanisms must be put in place to prevent child recruitment from occurring.
- The UN Country Team should proactively engage in a dialogue with the government on a regular basis in order to share documented child rights violations and advise/support the government to take appropriate steps to act on this information.
- The UN Country Team should assist the government in initiating, as a matter of urgency, the drafting of its initial report to the Committee on the Rights of the Child on OPAC, which would present an opportunity to engage with NGOs and other actors nationally and internationally on remaining challenges for the effective protection of children involved in and affected by armed conflict.